



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re appl.: **Dutta et al.**

Serial No.: **09/817,111**

Filing Date: **03/26/2001**

For: **Method and system for  
operating a rating server  
based on usage and download  
patterns within a  
peer-to-peer network**

\$ Group Art Unit: **2175**

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\$ Examiner: **Rimell, S.**

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\$ Atty Docket #: **AUS920010052US1**

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By: 

Joseph R. Burwell, Reg. No 44,468

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**APPELLANT'S BRIEF**

**IN RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 41.37**

10 This brief is filed in support of the Notice of Appeal,  
filed 07/30/2004, and which appealed the rejection of claims 1-54  
from the decision of the examiner dated 05/03/2004; a petition  
for an extension of time is included in this response.

15 Please refer to the PTO-2038 form that is included in this  
response for payment information to cover the cost of filing a  
brief in support of an appeal as set forth in 37 C.F.R.  
41.20(b)(2), which is (\$500), fee code 1402.

20 No additional fees are believed to be necessary for this  
response; if, however, any additional fees are necessary, please  
charge Deposit Account No. 50-1888 of Joseph Burwell to cover the  
cost of the fees, and any deficiency or overpayment should be  
charged to the above-numbered deposit account.

**I. REAL PARTY IN INTEREST**

The real party in interest in this appeal is International Business Machines Corporation (IBM).

5

**II. RELATED APPEALS AND INTERFERENCES**

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

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**III. STATUS OF CLAIMS**

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Claims 1-54 are pending in this application; claims 1-54 have been finally rejected; and claims 1-54 have been appealed. No claims have been canceled, withdrawn, or allowed.

**IV. STATUS OF AMENDMENTS**

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No after-final amendments have been filed.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

A method, a system, an apparatus, and a computer program product are presented for pruning a peer-to-peer network such  
5 that a peer-to-peer search within the peer-to-peer network is initiated beginning with those nodes on which relevant content has previously been found for particular search keywords (Specification, page 17, line 16). For each completed search, a peer node gathers client rating results (Figure 3) and then  
10 eventually forwards the rating information to a rating server (Figure 5; page 20, line 19). The rating results reflect the degree to which searches successfully located content for keywords in a search using particular peer nodes. A rating server maintains a database of rating results received from peer  
15 nodes (Page 25, line 6).

Prior to initiating a new search at a peer node, the peer node consults one or more rating databases to retrieve a set of initial nodes to which the node should initiate the new search in order to maximize the speed and success of finding relevant  
20 content (Page 18, line 11). The node then performs the new search using the set of initial nodes.

A rating server may support a variety of registration modes for registering peer nodes that access its rating database, and the rating server may support a variety of financial transaction  
25 modes with the different registration modes (Page 33, line 22). As part of the registration process, a peer node may download and install a rating plug-in that generates the client rating results (Page 22, line 29).

## **VI. Grounds of rejection to be reviewed on appeal**

The grounds of rejection that are on appeal are:

whether claims 1-3, 7-10, 13, 14, 17, 19-21, 25-28, 31, 32,  
5 35, 37-39, 43-46, 49, 50, and 53 are anticipated under 35 U.S.C.  
§ 102(e) by Van Stam, "Intelligent Peer-to-Peer System and Method  
for Collaborative Suggestions and Propagation of Media", U.S.  
Patent Application Publication Number US 2003/0014759 A1, filed  
12/21/2000 (effective filing date of at least 08/22/2000),  
10 published 01/16/2003;

whether claims 12, 15, 18, 30, 33, 36, 48, 51, and 54 are  
unpatentable under 35 U.S.C. § 103(a) over Van Stam; and

whether claims 4-6, 11, 16, 22-24, 29, 34, 40-42, 47, and 52  
are unpatentable under 35 U.S.C. § 103(a) over Van Stam in view  
15 of Carey et al., "System and Method for Performing Content  
Experience Management", U.S. Patent Application Publication  
Number US 2002/0112035 A1, filed 10/30/2000, published  
08/15/2002.

## **20 VII. ARGUMENTS**

The claims stand and fall together.

**VII.A. Was 35 U.S.C. § 102(e) properly applied in a rejection  
25 of claims 1-3, 7-10, 13, 14, 17, 19-21, 25-28, 31, 32, 35, 37-39,  
43-46, 49, 50, and 53 as being anticipated over Van Stam et al.?**

### Arguments in support of patentability

Independent claim 10 is the broadest claim in the patent  
30 application. Hence, for purposes of this argument, Appellant  
argues for the patentability of the present invention using claim

10 as an exemplary claim. Whereas independent claim 1 is written from the perspective of a method that is performed at a peer node (client), independent claim 10 is written from the perspective of a method that is performed at a server that supports the rating  
5 databases that are used by the peer nodes in a peer-to-peer network. Within independent claim 1, a peer node sends a rating request message to the server, receives a rating request message from the server, and then commences a peer-to-peer node search from the peer node using the retrieved information. In contrast,  
10 within independent claim 10, a server receives a rating request message, searches a rating database for matching keywords, retrieves a list of one or more node identifiers for peer nodes, and then returns a rating response message to the requesting peer node. Given that the most important claim element that is  
15 disputed with respect to the pending rejection is contained within each independent claim, and given that the most important claim element centers on an action by the server as recited within independent claim 10, Appellant argues that independent claim 10 is the broadest claim in the patent application and is  
20 appropriately used as an exemplary claim.

Peer-to-peer searches typically result in many search hits, and only a few files are typically retrieved after a peer-to-peer search. Although the present invention and the system that is disclosed in Van Stam both provide an improved peer-to-peer  
25 search mechanism that should reduce the quantity of search hits and that should improve the quality of search hits, the methodologies are very different.

Van Stam discloses a computer system that facilitates peer-to-peer network interactions. In contrast to typical  
30 peer-to-peer interactions, though, Van Stam discloses a system in which peer nodes in a peer-to-peer network correlate user

preference information during a peer-to-peer search. This is briefly described in the "Summary of the Invention" section of Van Stam, which states in paragraph 0007:

5       A network-based intelligent system for predicting  
ratings for items of media content according to how likely  
they are to appeal to a user provides a parallel,  
peer-to-peer system and method for collaborative suggestions  
and propagation of media. ... An originating client  
10       queries a targeted peer by transmitting a list indicative of  
its user's preferences. The targeted peer evaluates the  
similarity of the transmitted list with a list of its own.  
If the two clients are sufficiently similar, the comparison  
continues in an interactive fashion. ... If the two  
15       clients are dissimilar, either the originating client or the  
targeted peer may terminate the query, depending on the  
stage of the interaction; or the targeted peer may route the  
query to a second targeted peer. The interaction culminates  
in the originating client downloading client listings from  
20       the targeted peer to generate suggestions for the user. In  
addition to the lists of preferences, the originating client  
may download actual content items from the targeted peers.

As should be apparent by reference to the cited paragraph from  
Van Stam, the peer nodes in a peer-to-peer network correlate  
25       preferences that have been specified by users. If the preference  
lists of two users meet some statistical threshold, then the  
peer-to-peer search may be regarded as being successful and may  
be terminated at the successful node; in other words, it would  
not forward the peer-to-peer search to another peer node. In  
30       this manner, a search does not rely only upon keyword matching;  
user preference information is used as a type of metadata to  
narrow the scope of the search in an effort to improve the  
quality of the results of peer-to-peer searches, which are able  
to return an abundance of information if there are many nodes  
35       within the peer-to-peer network.

The features of the present invention that are discussed  
hereinbelow are not disclosed in Van Stam, yet they are reflected

in the independent claims as amended after the non-final rejection. Independent claim 10, as amended, contains the following elements (the amended language has been emphasized in a bold font in order to draw attention to the claim element that has been added after the non-final Office action to distinguish the claims from Van Stam):

10. A method for facilitating a search for information within a distributed data processing system, the method comprising:

10 receiving at a server a rating request message comprising a list of one more keywords from a peer node; searching a rating database for matching keywords; retrieving a list of one or more node identifiers for peer nodes in a peer-to-peer network that are associated with the matching keywords; and  
15 sending to the peer node a rating response message comprising the list of node identifiers, **wherein each listed node identifier identifies a node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords-**  
20

These claim elements are not disclosed in Van Stam nor the other prior art references of record.

25 With respect to the present invention, a peer-to-peer network improves its search results through a feedback mechanism that is based on the files that are retrieved in response to peer-to-peer searches. More specifically, a user or a peer node decides, in some manner, which file or files are to be retrieved after the peer-to-peer search results are reviewed. The present invention does not capture the decision process; however, the present invention does capture the results of the decision process by taking advantage of the following novel observation: it may be assumed that any file that is retrieved from another peer node as a result of a search hit from a peer-to-peer search  
35 is much more significantly relevant with respect to other files

that have not been retrieved in response to their associated search hits. Hence, the present invention implements a mechanism in which, for each completed search, a peer node gathers rating information about file retrievals in response to search hits, and  
5 the peer node eventually forwards the rating information to a rating server; these features are reflected in dependent claim 3 and similar dependent claims. The rating results reflect the degree to which peer-to-peer searches have successfully located content for keywords.

10 The interpretation of the present invention as supporting a feedback mechanism within a peer-to-peer network is completed by the following concept. Prior to initiating a new peer-to-peer search, a peer node consults one or more rating databases at one or more servers to retrieve a set of initial nodes to which the  
15 peer node should initiate the new search, thereby maximizing the speed and success of finding relevant content. This particular feature is reflected in the amended claim language, which has been added to all of the independent claims. The amended claim language specifically recites the content of a rating response  
20 message, i.e. "wherein each listed node identifier identifies a node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords". After receiving this information, the peer node then performs the new  
25 search using the received list of node identifiers as identifying a set of initial nodes for the peer-to-peer search.

In this manner, the present invention improves the results of a peer-to-peer search within the peer-to-peer network by limiting the number of root nodes that are used to initiate a  
30 search and by increasing the quality of the root nodes that are chosen. This selection process is supported by databases that



are maintained on central servers within the peer-to-peer network. These databases, termed "rating databases" in the claim terminology, contain information about files that have been retrieved in response to previous searches on particular  
5 keywords. In essence, it is assumed that significantly relevant content has previously been found for particular keywords when a file is retrieved based on a search hit.

The final rejection attempted to address the amended claim language, i.e. "wherein each listed node identifier identifies a  
10 node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords". On page 3 of the final Office action, last paragraph, to page 4, first paragraph, the rejection of claim 10 states the following:

15       The listing of nodes provided to each peer is a complete listing of all the nodes connected to the network. Since at least some of the nodes share lists (files) with other nodes, the listing of nodes includes those nodes from which a file was retrieved by another peer at some point  
20       during the exchange of files.

As noted in the rejection, Van Stam discloses that the listing of nodes that are provided to a peer is a list of all of the nodes in the network. The argument in the rejection is illogical;  
25 moreover, the logic of the argument is erroneous with respect to its interpretation of the claim language.

First, the listing of nodes that are provided to a peer node as disclosed in Van Stam is not equivalent to the listing of nodes that are provided to a peer node as stated in the claims of  
30 the present invention. In Van Stam, the listing of nodes contains all nodes in the network; hence, any node that could be in the listing is in the listing. However, the claims require that "each listed node identifier identifies a node within a

peer-to-peer network from which a file has previously been  
retrieved in response to a peer-to-peer search that used a  
keyword in the list of one or more keywords"; the claim language  
is very specific. In the present invention, the list of peer

5 nodes does not identify extra peer nodes or any and all nodes;  
the list of peer nodes is a specific subset of the peer nodes  
within the network. As explained above, this list of peer nodes  
is very important to the peer node that has requested the list  
via the rating request message. Prior to initiating a new  
10 peer-to-peer search, a peer node consults one or more rating  
databases at one or more servers to retrieve a set of initial  
nodes to which the peer node should initiate the new search,  
thereby maximizing the speed and success of finding relevant  
content. As argued by the rejection, the system of Van Stam  
15 could only initiate a peer-to-peer search to all of the peer  
nodes in the listing or possibly a random subset because the peer  
node that receives the listing cannot discern from the listing  
which subset of peer nodes that it should use.

Moreover, the fact that the listing of nodes in Van Stam  
20 hypothetically might include some nodes from which a file was  
retrieved by another peer at some point during an exchange of  
files does not necessarily mean that files were retrieved from  
those nodes specifically because those files at those nodes  
contained the desired keywords, which is a feature that is  
25 accomplished by the present invention and that is reflected in  
the claim language for the present invention. The rejection has  
grasped at straws and has asserted a hypothetical scenario that  
is irrelevant because the disclosed actions in Van Stam are not  
equivalent to the features that are claimed as is required by a  
30 proper anticipation rejection.

Rejections are deficient with respect to requirements for a proper anticipation rejection

Clearly, the rejection has not carefully considered the elements of claim 10 nor has the rejection pointed out the  
5 claimed features within Van Stam as is required for a proper anticipation rejection. More importantly, Van Stam does not disclose the claimed features and cannot be used as an anticipation reference. As stated at MPEP § 2131: "A claim is anticipated only if each and every element as set forth in the  
10 claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki*  
15 *Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Hence, the rejection of claim 10 over Van Stam is improper. For this and other reasons, Appellant argues that the position of the Examiner should be reversed and that the rejection of claim 10 should not be upheld.

20

## VIII. APPENDIX OF CLAIMS

1. A method for searching for information within a distributed data processing system, the method comprising:

5 obtaining a list of one or more keywords from a search query entered by a user of a first peer node;

sending a rating request message comprising the list of one more keywords to a server;

10 receiving a rating response message comprising a list of node identifiers from the server, wherein each listed node identifier identifies a node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords; and

15 initiating a peer-to-peer search from the first peer node by sending a search query message to a plurality of peer nodes, wherein the search query message comprises the search query, and wherein the plurality of peer nodes includes at least one peer node identified in the list of node identifiers from the server.

20

2. The method of claim 1 further comprising:

receiving from a second peer node a search result message for the peer-to-peer search comprising a node identifier for the second peer node; and

25 retrieving from the second peer node a file identified by the search result message.

3. The method of claim 2 further comprising:  
capturing a node identifier for the second peer node from  
which the file was retrieved; and  
storing at the first peer node the node identifier in  
5 association with the list of one or more keywords.
4. The method of claim 3 further comprising:  
generating client rating information at the first peer node,  
wherein the client rating information comprises data relating one  
10 or more keywords and one or more captured node identifiers; and  
sending the client rating information to the server.
5. The method of claim 4 wherein the client rating information  
comprises data relating file usage statistics for the retrieved  
15 file and one or more captured node identifiers.
6. The method of claim 3 further comprising:  
capturing file usage statistics for the retrieved file; and  
storing at the first peer node the file usage statistics in  
20 association with the list of one or more keywords.
7. The method of claim 1 further comprising:  
registering the first peer node with the server.
- 25 8. The method of claim 1 further comprising:  
receiving a rating module from the server; and  
installing the rating module on first peer node.
9. The method of claim 8 wherein the rating module is installed  
30 as part of a process of registering the first peer node with the  
server.

10. A method for facilitating a search for information within a distributed data processing system, the method comprising:

receiving at a server a rating request message comprising a list of one more keywords from a peer node;

5        searching a rating database for matching keywords;

retrieving a list of one or more node identifiers for peer nodes in a peer-to-peer network that are associated with the matching keywords; and

10        sending to the peer node a rating response message comprising the list of node identifiers, wherein each listed node identifier identifies a node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords.

15

11. The method of claim 10 further comprising:

receiving client rating information from the peer node; and

indexing the client rating information from the peer node with client rating information from additional peer nodes into  
20 the rating database.

12. The method of claim 10 further comprising:

initiating a financial transaction for a user or an owner of the peer node in response to accepting a request to access the  
25 rating database.

13. The method of claim 10 further comprising:

registering the peer node at the server.

30 14. The method of claim 13 further comprising:

downloading a rating module to the peer node.

15. The method of claim 13 further comprising:

identifying the registered peer node as a subscribing peer node, wherein a subscribing peer node receives access to the  
5 rating database for a periodic fee.

16. The method of claim 13 further comprising:

identifying the registered peer node as a rating peer node, wherein a rating peer node is allowed to submit client rating  
10 information to the server.

17. The method of claim 16 further comprising:

providing the rating peer node with access to the rating database for no fee.  
15

18. The method of claim 16 further comprising:

providing the rating peer node with access to the rating database for a predetermined fee.

19. An apparatus for searching for information within a distributed data processing system, the apparatus comprising:

obtaining means for obtaining a list of one or more keywords from a search query entered by a user of a first peer node;

5 first sending means for sending a rating request message comprising the list of one more keywords to a server;

first receiving means for receiving a rating response message comprising a list of node identifiers from the server, wherein each listed node identifier identifies a node within a  
10 peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords; and

initiating means for initiating a peer-to-peer search from the first peer node by sending a search query message to a  
15 plurality of peer nodes, wherein the search query message comprises the search query, and wherein the plurality of peer nodes includes at least one peer node identified in the list of node identifiers from the server.

20 20. The apparatus of claim 19 further comprising:

second receiving means for receiving from a second peer node a search result message for the peer-to-peer search comprising a node identifier for the second peer node; and

retrieving means for retrieving from the second peer node a  
25 file identified by the search result message.



21. The apparatus of claim 20 further comprising:

first capturing means for capturing a node identifier for the second peer node from which the file was retrieved; and

5 first storing means for storing at the first peer node the node identifier in association with the list of one or more keywords.

22. The apparatus of claim 21 further comprising:

10 generating means for generating client rating information at the first peer node, wherein the client rating information comprises data relating one or more keywords and one or more captured node identifiers; and

second sending means for sending the client rating information to the server.

15

23. The apparatus of claim 22 wherein the client rating information comprises data relating file usage statistics for the retrieved file and one or more captured node identifiers.

20 24. The apparatus of claim 21 further comprising:

second capturing means for capturing file usage statistics for the retrieved file; and

25 second storing means for storing at the first peer node the file usage statistics in association with the list of one or more keywords.

25. The apparatus of claim 19 further comprising:

registering means for registering the first peer node with the server.

30

26. The apparatus of claim 19 further comprising:

third receiving means for receiving a rating module from the server; and

installing means for installing the rating module on first  
5 peer node.

27. The apparatus of claim 26 wherein the rating module is installed as part of a process of registering the first peer node with the server.

28. An apparatus for facilitating a search for information within a distributed data processing system, the apparatus comprising:

first receiving means for receiving at a server a rating request message comprising a list of one or more keywords from a peer node;

searching means for searching a rating database for matching keywords;

retrieving means for retrieving a list of one or more node identifiers for peer nodes in a peer-to-peer network that are associated with the matching keywords; and

sending means for sending to the peer node a rating response message comprising the list of node identifiers, wherein each listed node identifier identifies a node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords.

29. The apparatus of claim 28 further comprising:

second receiving means for receiving client rating information from the peer node; and

indexing means for indexing the client rating information from the peer node with client rating information from additional peer nodes into the rating database.

30. The apparatus of claim 28 further comprising:

initiating means for initiating a financial transaction for a user or an owner of the peer node in response to accepting a request to access the rating database.

31. The apparatus of claim 28 further comprising:  
registering means for registering the peer node at the  
server.

5 32. The apparatus of claim 31 further comprising:  
downloading means for downloading a rating module to the  
peer node.

33. The apparatus of claim 31 further comprising:  
10 first identifying means for identifying the registered peer  
node as a subscribing peer node, wherein a subscribing peer node  
receives access to the rating database for a periodic fee.

34. The apparatus of claim 31 further comprising:  
15 second identifying means for identifying the registered peer  
node as a rating peer node, wherein a rating peer node is allowed  
to submit client rating information to the server.

35. The apparatus of claim 34 further comprising:  
20 first providing means for providing the rating peer node  
with access to the rating database for no fee.

36. The apparatus of claim 34 further comprising:  
second providing means for providing the rating peer node  
25 with access to the rating database for a predetermined fee.

37. A computer program product in a computer readable medium for use within a distributed data processing system for searching for information, the computer program product comprising:

instructions for obtaining a list of one or more keywords  
5 from a search query entered by a user of a first peer node;

instructions for sending a rating request message comprising the list of one more keywords to a server;

instructions for receiving a rating response message comprising a list of node identifiers from the server, wherein

10 each listed node identifier identifies a node within a peer-to-peer network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords; and

instructions for initiating a peer-to-peer search from the  
15 first peer node by sending a search query message to a plurality of peer nodes, wherein the search query message comprises the search query, and wherein the plurality of peer nodes includes at least one peer node identified in the list of node identifiers from the server.

20 38. The computer program product of claim 37 further comprising:

instructions for receiving from a second peer node a search result message for the peer-to-peer search comprising a node identifier for the second peer node; and

25 instructions for retrieving from the second peer node a file identified by the search result message.

39. The computer program product of claim 38 further comprising:  
instructions for capturing a node identifier for the second  
peer node from which the file was retrieved; and  
instructions for storing at the first peer node the node  
5 identifier in association with the list of one or more keywords.

40. The computer program product of claim 39 further comprising:  
instructions for generating client rating information at the  
first peer node, wherein the client rating information comprises  
10 data relating one or more keywords and one or more captured node  
identifiers; and  
instructions for sending the client rating information to  
the server.

15 41. The computer program product of claim 40 wherein the client  
rating information comprises data relating file usage statistics  
for the retrieved file and one or more captured node identifiers.

20 42. The computer program product of claim 39 further comprising:  
instructions for capturing file usage statistics for the  
retrieved file; and  
instructions for storing at the first peer node the file  
usage statistics in association with the list of one or more  
keywords.

25 43. The computer program product of claim 37 further comprising:  
instructions for registering the first peer node with the  
server.

44. The computer program product of claim 37 further comprising:  
instructions for receiving a rating module from the server;  
and

5 instructions for installing the rating module on first peer  
node.

45. The computer program product of claim 44 wherein the rating  
module is installed as part of a process of registering the first  
peer node with the server.

46. A computer program product in a computer readable medium for use within a distributed data processing system for facilitating a search for information, the computer program product comprising:

- 5        instructions for receiving at a server a rating request message comprising a list of one more keywords from a peer node;
- instructions for searching a rating database for matching keywords;
- instructions for retrieving a list of one or more node
- 10       identifiers for peer nodes in a peer-to-peer network that are associated with the matching keywords; and
- instructions for sending to the peer node a rating response message comprising the list of node identifiers, wherein each listed node identifier identifies a node within a peer-to-peer
- 15       network from which a file has previously been retrieved in response to a peer-to-peer search that used a keyword in the list of one or more keywords.

47. The computer program product of claim 46 further comprising:

- 20       instructions for receiving client rating information from the peer node; and
- instructions for indexing the client rating information from the peer node with client rating information from additional peer nodes into the rating database.

25

48. The computer program product of claim 46 further comprising:

- instructions for initiating a financial transaction for a user or an owner of the peer node in response to accepting a request to access the rating database.

30



49. The computer program product of claim 46 further comprising:  
instructions for registering the peer node at the server.

50. The computer program product of claim 49 further comprising:  
5 instructions for downloading a rating module to the peer  
node.

51. The computer program product of claim 49 further comprising:  
instructions for identifying the registered peer node as a  
10 subscribing peer node, wherein a subscribing peer node receives  
access to the rating database for a periodic fee.

52. The computer program product of claim 49 further comprising:  
instructions for identifying the registered peer node as a  
15 rating peer node, wherein a rating peer node is allowed to submit  
client rating information to the server.

53. The computer program product of claim 52 further comprising:  
instructions for providing the rating peer node with access  
20 to the rating database for no fee.

54. The computer program product of claim 52 further comprising:  
instructions for providing the rating peer node with access  
to the rating database for a predetermined fee.

25

**IX. Evidence appendix**

None.

5 **X. Related proceedings appendix**

None.

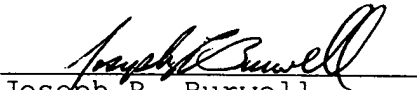
**XI. Conclusion**

10 In view of the above arguments, it is respectfully urged  
that the rejection of the claims should not be sustained.

DATE: January 31, 2005

Respectfully submitted,

15

  
Joseph R. Burwell  
Reg. No. 44,468  
ATTORNEY FOR APPELLANT

20

Law Office of Joseph R. Burwell  
P.O. Box 28022  
Austin, Texas 78755-8022  
Voice: 866-728-3688 (866-PATENT8)  
Fax: 866-728-3680 (866-PATENT0)  
Email: joe@burwell.biz

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